

## **REMARKS**

### **I. Status Of Claims**

The above amendments and following remarks are responsive to the points raised in the February 21, 2008, Office Action. Upon entry of the above amendments, Claims 1-65, 68, and 70 will have been canceled without prejudice or disclaimer, Claims 66 and 69 will have been amended, Claims 71-93 will have been added, and Claims 66, 67, 69, and 71-93 will be pending in the application. No new issues have been raised that require further consideration or search. Entry and reconsideration are respectfully requested.

### **II. Response To The Rejection Under 35 U.S.C. § 112**

Claim 1, 19, 38, 43, 46, 47, 48, 49, 66, 69, and 70 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention.

The Examiner states that the claim feature “adjacent apertures of said plurality of apertures being separated by a respective link of said plurality of links” is unclear.

Claim 1-65, 68, and 70 have been cancelled without prejudice or disclaimer. With regard to pending Claims 66 and 69, this claim feature has been removed. Therefore, Applicants respectfully request that the rejection of these claims under 35 U.S.C. § 112, second paragraph, be withdrawn.

### **III. Response To The Rejection Under 35 U.S.C. § 103(a)**

Claims 1-20, 22, 24-35, 38-49, 52-54, and 66-70 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 6,521,551 to Mass (“Mass”) in view of US 5,804,275 to Tsunefuji (“Tsunefuji”). Claims 36 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mass in view of Tsunefuji and further in view of US

4,697,407 to Wasserman. Claims 50 and 51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mass in view of Tsunefuji and further in view of US 6,660,378 to Chizmas.

Claims 1-65, 68, and 70 have been cancelled without prejudice or disclaimer.

With regard to pending independent Claims 66 and 69, the Examiner admits that Mass does not teach a reflective ribbon or a reflective indicator but states that Tsunefuji teaches reflective threads that are woven, knitted, or braided into existing fabric structures or products to reflect light and provide safety at night. The Examiner further provides that it would have been obvious to combine Mass and Tsunefuji because the reflective fiber products in Tsunefuji can be used in products where night visibility is important, including the nettings in Mass.

Contrary to the Examiner's assertions, the combination of Tsunefuji and Mass would not have been obvious with respect to the nettings in pending independent Claims 66 and 69. Each of these claims recites, in part, an indicator configuration that is distinct from the teachings of Tsunefuji and Mass:

at least one reflective indicator being configured to  
identify an approaching end of the knitted netting . .  
. . (claim 66).

at least one indicator configured to identify an  
approaching end of the netting, said indicator  
including at least one colored indicator and at least  
one reflective indicator . . . . (claim 69).

The Examiner points to the various reflective embodiments of Tsunefuji, including "a rope for use at night at a construction site, the forming implement for use in a variety of bags, the fastener loading tape, a button wrapping implement, a cover for a traffic safety sign, the implement for wrapping a fishing float, a ring buoy, a life jacket, a rain coat," and rationalizes that it would have been obvious, in view of these various products, to use reflective fibers in any product. However, neither Mass nor Tsunefuji, alone or in combination, teaches or suggests the configurations recited in independent Claims 66 and 69. The reflective materials of Tsunefuji

are configured to provide safety to the user, not to identify an approaching end of the netting, as recited in Claims 66 and 69. Hence, it was improper for the Examiner to read the general teachings of Tsunefuji to include a reflective indicator that is configured to identify an approaching end of the netting. In addition, neither Mass nor Tsunefuji, alone or in combination, teaches or suggests a colored indicator, and especially an indicator that includes both a colored indicator and a reflective indicator, as recited in Claim 69. Thus, the claimed configurations are distinct from the general reflective fibers in the cited references.

Applicants submit that the rejection of independent Claims 66 and 69, and the claims dependent thereon, under 35 U.S.C. § 103(a) was improper and respectfully request that the rejection be withdrawn.

#### **CONCLUSION**

Applicants respectfully submit that Claims 66, 67, 69, and 71-93 are in condition for allowance and a notice to that effect is earnestly solicited.

#### **AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1874-4050.

Respectfully submitted,  
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